

Ordinance No. _____

An Ordinance restricting possession of weapons in the _____ County Courthouse.

WHEREAS, the possession of weapons within the _____ County Courthouse is detrimental to the health, safety, and welfare of the persons within said building, and

WHEREAS, the _____ County Board of Commissioners finds that the regulation of weapons within the _____ County Courthouse is within the jurisdiction of the _____ County Board of Commissioners;

BE IT ORDAINED BY the _____ County Board of Commissioners:

I. Definitions

As used in this ordinance, the term “weapon” includes, but is not limited to any of the following:

1. “Deadly weapon” as defined by Indiana Code ' 35-41-1-8,
2. “Firearm” as defined by Indiana Code ' 35-47-1-5,
3. “Electric stun weapon” as defined by Indiana Code ' 35-47-8-1,
4. “Stun gun” as defined by Indiana Code ' 35-47-8-2,
5. “Taser” as defined by Indiana Code ' 35-47-8-3,
6. “Knife”
7. “Explosive” refers to any agent or substance tending or serving to explode.
“Explosive” shall include but not limited to gunpowder and dynamite.
8. “Club”
9. Any other object that in the manner in which it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury (as defined by Indiana Code ' 35-41-1-25) as determined by the _____ County Sheriff=s Officers.

II. Restrictions

Except as provided in Section III of this Ordinance, a person shall not possess on or about his or her person a weapon within the _____ County Courthouse.

III. Exceptions

The follow persons are exempt from this order: law enforcement officers under Indiana Code ' 35-41-1-17, Indiana Department of Correction Officers, Community Correction officers, judicial officers, and probation officers who are in the courthouse for official business and duly authorized to carry deadly weapons. Employees of the courthouse who carry chemical spray devices for personal protection are also exempt.

The persons described as exempt from this Order *shall not be exempt* if they or any member of their family is a party to any proceeding taking place in court.

IV. Penalty

Any person violating Section II of this Ordinance shall be subject to punishment for indirect contempt of court pursuant to I.C. § 34-47-3 and a fine of \$_____. [Note: not to exceed \$2,500 pursuant to IC § 34-28-5-4 and § 36-1-3-8.] Any person violating Section II of this Ordinance shall also be subject to having the firearm or weapon confiscated by the proper law enforcement officials.

V. Severability

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any part to be void, unconstitutional or ineffective for any cause shall not affect any other part of this Ordinance.

VI. Repeal

All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

VII. Effective Date

This Ordinance shall take effect upon passage, after publication as required by law.

Dated this _____ day of _____, _____.

Ayes _____

Nays _____

_____ County Board of Commissioners

Attest:
